

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION

In re: Lella V. Moss,	)	
	)	
LELLA V. MOSS	)	
By agent, next friend, TOMMY	)	
MOSS, Individually, agent of	)	
Lella Moss,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	NO. 2:07-0012
	)	Judge Trauger/Bryant
TENNESSEE DEPARTMENT OF HUMAN	)	
SERVICES, TN DHS APS, et al.,	)	
	)	
Defendants.	)	

**O R D E R**

Plaintiff Tommy Moss filed his "Request For Additional Time Respond To Welker And Remand" (Docket Entry No. 152), which seeks extensions of time within which to file his response in opposition to defendant Welker's motion to dismiss (Docket Entry No. 130) and to file his objection to the undersigned Magistrate Judge's report and recommendation filed January 30, 2009 (Docket Entry No. 124). Plaintiff in his motion seeks an extension of time to and including April 10, 2009, to file his responses.

It further appears that plaintiff filed his response and memorandum in opposition to defendant Welker's motion to dismiss on April 13, 2009 (Docket Entry Nos. 159 and 160). These responses were received and considered by the undersigned Magistrate Judge in preparing his report and recommendation on defendant Welker's motion (Docket Entry No. 177). Therefore, to the extent that

plaintiff's motion seeks more time to respond to defendant Welker's motion to dismiss, that portion of his motion has been rendered moot and therefore should be **TERMINATED** by the Clerk as a pending motion.

To the extent that plaintiff's motion seeks an extension of time within which to file objections to the January 30, 2009, report and recommendation, the plaintiff's motion is properly addressed to the District Judge.

It is so **ORDERED**.

s/ John S. Bryant  
JOHN S. BRYANT  
United States Magistrate Judge